

REMARKS

Reconsideration is respectfully requested in light of the amendments above and the remarks that follow.

Claims 1-13 and 23-27 are pending in the application, with claims 1, 9, and 23 being the independent claims. Claims 1, 9, and 23 are amended. Claims 14-22 and 28-30 are canceled. These changes are believed to introduce no new matter, reduce some issues for appeal, and require only a cursory review by the examiner; their entry is respectfully requested.

Rejection under 35 USC § 102

At ¶¶ 1-2, the Office Action maintains the previous rejection, under 35 U.S.C. § 102(e), of claims 14-15 and 28 as being anticipated by US Patent Application Publication No. 2004/0068666 to Tosey (hereinafter "Tosey").

Applicant respectfully submits that this rejection has been rendered moot by the cancellation of claims 14-15 and 28. Withdrawal of the rejection is respectfully requested.

Rejections under 35 USC § 103 (including combination 102(e)/103(a))

At ¶¶ 3-4, the Office Action maintains the previous rejections, alternatively under 35 U.S.C. § 102(e) and 103(a), of claims 1, 6-9, 16-19, and 22-26 as being unpatentable over Tosey.

At ¶ 5, the Office Action maintains the previous rejection, under 35 U.S.C. § 103(a), of claims 2-5, 10-13, 20-21, 27, and 29-30 as being unpatentable over Tosey in view of US Patent Application Publication No. 2004/0128310 to Zmudzinski et al. (hereinafter "Zmudzinski").

At ¶ 6, the Office Action maintains the previous rejection, under 35 U.S.C. § 103(a), of claims 1-14, 18-21, and 23-27 as being unpatentable over Tosey in view of US Patent Application Publication No. 2003/0179725 to Lo et al. (hereinafter "Lo").

Applicant respectfully submits that these rejections have been rendered moot and/or are accommodated in light of the clarifying amendments provided above. Furthermore, additional clarifying remarks are provided herein to elucidate applicant's traversal of the rejections.

The claimed invention is neither anticipated nor obvious to a person of ordinary skill in the art as the claimed invention filters a signal at a wireless wide area network (WWAN) module; determines if an action is to be performed by a processor; and determines from a filter policy if the information included in the signal warrants the waking of the processor. None of the cited references provide these features; their specific shortcomings and actual teachings are discussed below.

As discussed in applicant's previous response, Tosey appears to teach a processor that awakens to perform an e-mail poll. This is quite different from the claimed invention, which allows the processor to stay asleep while the WWAN module is able to determine when to wake the processor upon the arrival of a message.

Applicant respectfully notes that in Fig. 2 of Tosey, at step 206, the processor requests that the modem enter sleep mode and at step 208 receives back an acknowledgement; then at step 210, the application processor goes into sleep mode. As is discussed in Tosey, the modem retains enough state information so that the WWAN virtual private network (VPN) link stays connected throughout the sleep mode, but no e-mail is transferred. When the application processor wants to check for e-mail (perhaps on a timer), the processor wakes at step 212, and brings the WWAN module to full power to check for e-mail.

Applicant respectfully notices that Tosey does not make information available to the processor at this point. Furthermore, the application processor of Tosey has not received an indication that it will be successful in its poll. Information is not transferred in Tosey during an application sleep period, only security information to maintain the VPN's security state is transferred.

On the contrary, the claimed invention, information is transferred to the WWAN, and the WWAN make a decision to wake the processor – for example, and for the purposes of understanding alone, based on sender or importance of the message. As such, when the processor wakes, the information is on the device and is ready to be acted upon.

On page 8, the Office Action mailed January 12, 2006 responds to applicant's previous arguments with respect to Tosey with reference to the "RING" signal taught therein. See Fig. 3, at step 314. Applicant respectfully submits that the 'wake-on-wireless LAN' process taught in Tosey is very different from that of the claimed invention. In Tosey, the information of the packet is not interpreted as to a policy. Indeed, the arrival of any internet protocol (IP) packet, even one of low priority, will wake the application processor of Tosey.

Applicant respectfully submits that Tosey does not teach or suggest the awakening of a processor by a WWAN module that filters incoming signals for information that conforms to a filter policy. Indeed, none of the cited references provide for this feature. For at least the deficiencies in the teachings of Tosey, applicant respectfully submits that the Office Action has not established a prima facie case for either anticipation or obviousness. Furthermore, applicant respectfully submits that the separate combinations of Tosey with Zmudzinski and with Lo do not overcome these deficiencies.

Zmudzinski appears to teach the use of a client proxy, such as IM Client Proxy 300 in Fig. 1, to store messages that would otherwise be delivered to a computing device, such as mobile telephone 200, unless an important message is received by the client proxy, and then

the messages may be forwarded to the computing device, which appears to wake when it receives any message. Zmudzinski does not teach nor suggest a module to store these messages at the computing device and to wake the processor of the device when required. On pages 8-9, the Office Action mailed January 12, 2006, the Office Action argues that Zmudzinski is cited for the teaching of optionally holding/delaying messages. Applicant respectfully submits that Zmudzinski appears to teach the holding or delaying of messages at the proxy, not at the WWAN module. Furthermore, Zmudzinski appears to teach a proxy device that does not directly wake the device, but caches information so that the next time the device wakes the information can be made available to the device. As such, applicant respectfully submits that Zmudzinski does not teach or suggest any of the claimed features and does not provide for Tosey's shortcomings.

Similarly, Lo appears to teach an access point, such as access point 70 in Fig. 2, which is located in a station, i.e. a computer, separate from a host station, i.e. the sleeping computer. While the host station is in a sleep mode, the access point of Lo appears to filter information depending on the importance of a packet arriving over the network, and appears to wake the host station when an important message is being sent to the host station. Applicant respectfully submits that the stations of Lo are separate devices, separated by the network, and the host station of Lo wakes whenever it receives any message. In fact, the teaching of Lo appears to be that power conservation is obtainable by reducing the signals forwarded to a host station, which includes a WWAN module and a processor.

Applicant respectfully submits that neither Zmudzinski nor Lo teach or suggest the awakening of the processor of the claimed invention. Furthermore, applicant respectfully submits that none of the cited references provide the requisite teaching or suggestion to a person of ordinary skill in the art to modify the physical devices of Tosey to perform the operations of the claimed invention. Applicant respectfully submits that the Office Action does

not provide a suggestion to combine or modify the references, and that it furthermore does not provide motivation that the combination or modification would appear to be sufficient to have made the claimed invention obvious to a person of ordinary skill in the art.

For at least the above reasons, applicant respectfully submits that the pending claims are believed to be patentable over the cited references, both individually and in combination. Furthermore, while the independent claim have been specifically discussed, the claims depending from them are believed to be allowable for at least the reasons described above, and further in view of their own respective features. Withdrawal of these rejections is respectfully requested.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all currently outstanding objections and rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

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